

## UNITED STATES DISTRICT COURT

Southern

District of

New York

Alternative Care Systems, Inc. d/b/a Access  
Nursing Services,

V.  
Access Nurses, Inc.,

## SUMMONS IN A CIVIL ACTION

CASE NUMBER  
**07 CV 10537**

TO: (Name and address of Defendant)

Access Nurses, Inc.  
5935 Cornerstone Court West  
San Diego, CA 92121

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Daniel P. Waxman, Esq.  
Bryan Cave LLP  
1290 Avenue of the Americas  
New York, NY 10104-3300  
Tel: 212 541 2000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

NOV 21 2007

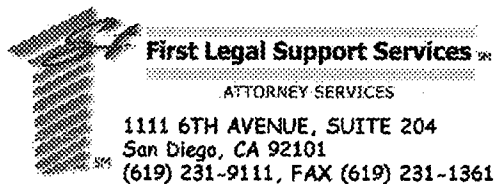
CLERK

DATE

(By) DEPUTY CLERK

Attorney or Party without Attorney: <b>SCOTT MOSKO</b> FINNEGAN, HENDERSON, FARABOW, ET AL. 3300 HILLVIEW AVENUE PALO ALTO, CA 94304 Telephone No: 650-849-6600 FAX No: 650-849-6666				For Court Use Only	
Attorney for: <b>Plaintiff</b>			Ref. No. or File No.: 04508-8051-00000/1944		
Insert name of Court, and Judicial District and Branch Court: <b>U. S. DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK</b>					
Plaintiff: <b>ALTERNATIVE CARE SYSTEMS, INC. d/b/a ACCESS NURSING SERVICES</b> Defendant: <b>ACCESS NURSES, INC.</b>					
<b>AFFIDAVIT OF SERVICE SUMMONS IN A CIVIL</b>		Hearing Date:	Time:		Dept/Div:

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT FOR TRADEMARK, SERVICE MARK, AND TRADE NAME INFRINGEMENT AND UNFAIR COMPETITION WITH JURY DEMAND; CIVIL COVER SHEET.
3. a. Party served: **ACCESS NURSES, INC.**  
b. Person served: **ALAN BRAYNIN, AUTHORIZED AGENT FOR SERVICE**
4. Address where the party was served: **5935 CORNERSTONE COURT WEST  
SAN DIEGO, CA 92121**
5. I served the party:  
b. by substituted service. On: Thu., Jan. 03, 2008 at: 10:03AM by leaving the copies with or in the presence of:  
**LEILANI NEWELL, OFFICE MANAGER**  
(1) (Business) a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. I informed him or her of the general nature of the papers.  
(4) A declaration of mailing is attached.
6. The "Notice to the Person Served" (on the Summons) was completed as follows:  
on behalf of: **ACCESS NURSES, INC.**  
Under CCP 416.10 (corporation)
7. Person Who Served Papers: **a. LAWRENCE THAYER** Fee for Service:



8. I declare under penalty of perjury under the laws of the State of New York and under the laws of the United States Of America that the foregoing is true and correct.

AFFIDAVIT OF SERVICE  
SUMMONS IN A CIVIL

(LAWRENCE THAYER)

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